

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BANK OF AMERICA, N.A.,

Plaintiff(s),

v.

SONRISA HOMEOWNERS ASSOCIATION,
et al.,

Defendant(s).

Case No. 2:16-CV-848 JCM (GWF)

ORDER

Presently before the court is counter-defendant Bank of America's (BANA) motion for demand for security of costs. (ECF No. 31). BANA asks that counter-plaintiff SFR Investments file security of costs in the amount of \$500.00 pursuant to NRS 18.130(1) because SFR is a non-resident of Nevada.

The Ninth Circuit recognizes that "federal district courts have inherent power to require plaintiffs to post security for costs." *Simulnet E. Assocs. v. Ramada Hotel Operating Co.*, 37 F.3d 573, 574 (9th Cir. 1994). A federal district court typically follows the forum state's practice regarding security of costs, particularly when a party is a non-resident. *See, e.g.*, 10 Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 2671 (3d ed. 1998). Nevada Revised Statute 18.130 provides that the court may require an out-of-state plaintiff to post a security for costs in an amount up to \$500.00 upon request by a defendant. Nev. Rev. Stat. 18.130.


This court finds it appropriate to order security of costs in this matter.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that BANA's motion for demand for security of costs, (ECF No. 31), be, and the same hereby is, GRANTED.

1 IT IS FURTHER ORDERED that SFR shall post security in the amount of \$500.00 within
2 seven (7) days of the entry of this order.

3 DATED July 8, 2016.

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5 UNITED STATES DISTRICT JUDGE
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